GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps Department – Allegation of registration of surplus vacant non agricultural lands in Vijayawada Urban Agglomeration based on the fake NOCs issued by ULC officials - Disciplinary proceedings initiated against Smt.D.M.Syamala, former Sub Registrar [now Deputy Inspector General (Retired)] and 7 other Registration Officials – WSDs received – case entrusted to Commissioner of Inquiries – Charged Officers filed OAs before the Andhra Pradesh Administrative Tribunal – OAs allowed – Further action dropped – Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.1126 **Dated:03-11-2017**

Read the following:

1) G.O.Ms.No.491, Rev (Vig.III) Deptt., dt:16-4-2007.
2) Notice from Sri Jonnalagadda Sudheer, Advocate, R/o Hyderabad dt:7-6-2010.
3) Govt., Memo.No.41491/Vig.VI(1)/2005-3, dt:1-8-2008.
4) Govt., Memo.No.41491/Vig.VI(1)/2005-4, dt:27-9-2008.
5) Govt., Memo.No.41491/Vig.VI(1)/2005-6, dt:23-2-2010.
6) Addl., DGP, CID, AP., Hyd., Lr.C.No.1621/C4/C2/CID/1998, dt:17-4-2010.
7) Govt., Memo.No.17874/Vig.VI(1)/2010-2, dt:12-5-2011.
8) Addl., DGP, CID., AP., Hyd., Lr.C.No.1621/C4/C2/CID/1998, dt:22-5-2012.
9) G.O.Rt.No.881, Revenue (Vig.VI) Deptt., dt:7-6-2012.
10) G.O.Rt.No.882, Revenue (Vig.VI) Deptt., dt:7-6-2012.
11) G.O.Rt.No.883, Revenue (Vig.VI) Deptt., dt:7-6-2012.
12) G.O.Rt.No.884, Revenue (Vig.VI) Deptt., dt:7-6-2012.
13) G.O.Rt.No.885, Revenue (Vig.VI) Deptt., dt:7-6-2012.
14) G.O.Rt.No.886, Revenue (Vig.VI) Deptt., dt:7-6-2012.
15) G.O.Rt.No.887, Revenue (Vig.VI) Deptt., dt:7-6-2012.
16) G.O.Rt.No.888, Revenue (Vig.VI) Deptt., dt:7-6-2012.
17) G.O.Rt.No.889, Revenue (Vig.VI) Deptt., dt:7-6-2012.
18) G.O.Rt.No.201, Revenue (Vig.VI) Deptt., dt:2-2-2013.
19) OA.Nos. 2041/2013, 2770/2013, 2703/2013, 2704/2013, 2705/2013, 2723/2013, 3112/2013 and 3301/2013 filed by Sri A.S.C.Bose Babu, former Assistant Inspector General, Registration & Stamps (now Retired) and 7 others filed before the APAT.
20) COI, GA, AP Secretariat D.O.Lr.No.57/COI/LP/2013, dt:13-3-2014.
21) Common Orders of APAT dated:25-11-2016, in OA NOs.3301/2013 and 3112/2013, dt.25-11-2016.
22) Common Orderes of A.P.A.T. dt.25-11-2016, in O.A.Nos.2041, 2703, 2704, 2705, 2723 and 2770 of 2013.

@@@

O R D E R:

Whereas, it has been brought to notice of the Government that on the allegation of registration of surplus vacant non agricultural lands in Vijayawada Urban Agglomeration based on the fake NOCs issued by ULC officials, the Crime Branch, Crime Investigation Department has sent proposals to the Government for issue of sanction of prosecution orders against the officials of ULC. Accordingly, Government have accorded permission to the Crime Branch, Crime Investigation Department to prosecute the Accused Officers in a court of law.

Contd.,2

2. And whereas, in the reference 1st read above, Government have withdrawn the prosecution sanction orders against the ULC officials duly observing that the grounds adduced for prosecuting the individuals are not grave in nature that warrants the charge sheeting them and that the culpability or otherwise can be established through departmental enquiry also. Taking into consideration of the request of the affected employees, the representation of the Joint Action Committee employees, Government have withdraw the prosecution orders and to entrust the case to the Commissioner of Inquiries for conducting an inquiry into the allegations levelled against those employees.

3. And where as in the reference 2nd read above, Sri Jonnalagadda Sudheer, Advocate has stated that charge sheets were filed by the Crime Iinvestigation Department against the following Registration officials Viz., 1) Sri Y.Venkatesam, former Senior Assistant (Retired), 2) Sri P.Ramakrishna Rao, former Sub Registrar (Retired), 3) Ch.Venkataratnam, former Sub Registrar (Retired) and 4) Sri A.S.C.Bose Babu, former Sub Registrar (Retired) without obtaining necessary prosecution sanction orders even though Government have dropped further action against the following officials including the above said registration officials in the references 3rd to 5th read above. Therefore, he has requested the Government to take appropriate steps to withdraw the criminal case filed against them.

1. Smt.D.M.Syamala, former Sub Registrar, (now Retired as Deputy Inspector General)
2. Smt.G. Lakshmi, former Sub Registrar,
3. Sri Ch.V.Ratnam, Sub Registrar (Retired),
4. Sri B.Viswasa Rao, Sub Registrar (Retired),
5. Sri J.Venkateswara Rao, Sub Registrar (Retired),
6. Sri A.S.C.Bose Babu, former Sub Registrar, (now Retired as Assistant Inspector General)
7. Sri P.Ramakrishna Rao, Sub Registrar (Retired), and
8. Sri Y.Venkatesam, Senior Assistant (Retd),

4. Government have examined the matter and observed that since the Government have withdrawn the prosecution sanction orders against the ULC officials in the reference 1st read above who were mainly concerned with the issue of Bogus NOCs observed that it is not reasonable to accord permission for prosecution of registration officials, who registered the documents based on the NOCs issued by the ULC officials, and accordingly dropped further action against the above said registration officials in the references 3rd to 5th read above.

5. And whereas, in the reference 6th read above, the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad, has requested the Government to reconsider withdrawing the orders issued in the references 3rd to 5th read above.

6. Government after careful examination of the matter observed that since the case in respect of ULC officials had been entrusted to Commissioner of Inquiries while withdrawing prosecution orders in the reference 1st read above, Government have decided to entrust the case in respect of registration officials also to the Commissioner of Inquiries.

7. Whereas, after obtaining the draft Article of Charges in respect of the 8 registration officials from the Additional Director General of Police, Crime Investigation Department vide reference 8th read above, Government in the reference 9th read above, initiated common disciplinary proceedings against all the above said registration officials including retired officers under Rule 24 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 and simultaneously, initiated departmental proceedings against all the above said Registration Officials including Retired Officials under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read

Contd.,3

with Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 vide the references 10th to 17th read above.

8. All the Charged officers have submitted their Written Statement of Defenses. Government have examined the matter and entrusted the case to Commissioner of Inquiries by appointing Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries as Inquiring Authority to inquire into the charges framed against all the above said Registration Officials vide reference 18th read above.

9. And Whereas, in the reference 19th read above, it was brought to the notice of Government that all the above Charged Officers have filed OAs before the Andhra Pradesh Administrative Tribunal against the Article of Charges issued by the Government. The Andrha Pradesh Administrative Tribunal has passed the following interim orders in the OAs:

> "Pending disposal of the OA, there shall be a direction to the Respondents not to proceed further with the enquiry in furtherance of the impugned charge memo and the consequential orders issued there under".

10. And whereas, in the reference 20th read above, the Commissioner of Inquiries while returning the record has stated that since the final orders in the above OAs have not been received, their forum cannot conduct further enquiry till the interim direction of the Tribunal are vacated.

11. Government have filed Counter Affidavits in the i) OA.No.2041/2013 filed by Sri A.S.C.Bose Babu, former Assistant Inspector General (Retired), ii) OA.No.2770/2013 filed by Sri Ch.Venkataratnam, former Sub Registrar (Retired), iii) OA.No.2703/2013 filed by Sri P.Ramakrishna Rao, former Sub Registrar (Retired), iv) OA.No.2704/2013 filed by Sri B.Viswasa Rao, former Sub Registrar (Retired), v) OA.No.2705/2013 filed by Sri J.Venkateswara Rao, former Sub Registrar (Retired), vi) OA.No.2723/2013 filed by Sri Y.Venkatesam, former Senior Assistant (Retired), vii) OA.No.3112/2013 filed by Smt.D.M.Syamala, former Deputy Inspector General (Retired) and viii) OA.No.3301/2013 filed by Smt.G.Lakshmi, former Sub Registrar.

12. And whereas, in the references 21st and 22nd read above, the Hon'ble Andhra Pradesh Administrative Tribunal have allowed all the OAs and set aside the Government orders issued in the references 9th to 18th read above and directed the respondents to release consequential withheld benefits, if any, to the individuals with in the time stipulated therein.

13. Whereas, Government after careful examination of the matter have decided to implement the orders of APAT and to drop further action against the eight Registration Officials. Accordingly, Government hereby order to drop further action against the following Registration Officials duly exonerating them from the charges framed against them keeping in view the orders of Hon'ble Andhra Pradesh Administrative Tribunal.

1. Smt.D.M.Syamala, former Sub Registrar and presently Retired as Deputy Insepctor General.
2. Smt.G. Lakshmi, former Sub Registrar,
3. Sri Ch.V.Ratnam, Sub Registrar (Retired),
4. Sri B.Viswasa Rao, Sub Registrar (Retired),
5. Sri J.Venkateswara Rao, Sub Registrar (Retired),
6. Sri A.S.C.Bose Babu, former Sub Registrar and Retired as Assistant Inspector General,
7. Sri P.Ramakrishna Rao, Sub Registrar (Retired), and
8. Sri Y.Venkatesam, former Senior Assistant (Retired),

Contd.,4

16. The Director & Inspector General, Registration & Stamps shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
All the Individuals (through the Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada with a request to serve the orders on the above individuals and furnish the served copy to Governmetn for record).
The Driector & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.
Copy to:
The Secretary to the Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velagapudi, Guntur District.
The Government Pleader for Revenue (Services), Andhra Pradesh Administrative Tribunal, Hyderabad (with reference to orders of APAT dt:25-11-2016 in OA.Nos.2041/2013, 2770/2013, 2703/2013, 2704/2013, 2705/2013, 2723/2013, 3112/2013 & 3301/2013).
The Deputy Inspector Generals, Registration & Stamps, Vijayawada / Guntur.
SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER